

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**HEARING ON**    - SENTENCING

## Before Judge Nora Barry Fischer

Ross E. Lenhardt, AUSA  
Appear for USA

David J. DeFazio, Esquire  
Appear for Defendant

Probation – Angelica D. Banta  
ATF Special Agent: Neil Carman (was to appear, but did not)

Hearing begun 10/25/18 at 9:00 a.m.  
Hearing concluded 10/25/18 at 10:49 a.m.

Hearing adjourned to \_\_\_\_\_  
Stenographer: B. Leo  
Clerk: J. Galovich

## WITNESSES:

## For Government

For Defendant

Court details background of case; Oath administered to defendant; Court asks defendant questions re: Presentence Report, Addendum & Tentative Findings, defendant answers & understands; Court remarks on Guidelines and pertinent Supreme Court & Circuit Court decisions; Court notes that parties have no further objections to Presentence Report; Court adopts the Presentence Report & addendum, except as otherwise set forth in the Court's Tentative Findings & Rulings; Court adopts its Tentative Findings & Rulings as its Initial Findings and Rulings; Court comments on defendant's Sentencing Memorandum [74] & construes as a Motion for Variance; Court makes additional findings based upon letters received; Defendant makes statement to the Court; Court makes further findings on the record; Court hears counsel positions regarding aspects of Sentence; Court grants, in part, defendant's Motion for Variance; Sentence Imposed as to Counts 1 & 2: The defendant is sentenced to Probation for a term of three (3) years, said term comprised of three (3) years at each of Counts 1 and 2, to run concurrently w/standard & additional conditions; Fine waived; \$200.00 Special Assessment, due immediately; The Preliminary Order of Criminal Forfeiture [66] dated 4/9/18 (indicating that: 1. All right, title and interest of Sherelle Clausell in the following property are forfeited to the United States pursuant to 18 U.S.C. § 924(d): (a) a Glock pistol bearing serial number YUV636; (b) a Palmetto Arms AR pistol bearing serial number PA026624; and (c) a Magnum Research Desert Eagle Pistol bearing serial number DK0018344; 2. This Order of Forfeiture against Sherelle Clausell will be incorporated into her sentence and judgment pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure; 3. The Court will adjudicate third-party claims, if any) is made part of the Judgment; Court states its reasons for imposition of Sentence; Court advises defendant of appeal rights.